IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 7882 of 2005

Between:

Malluru Gopal Reddy, S/o.Malla Reddy,
R/o.Ragimagulapalli, H/o.Cheekalabayalu,
Revenue Village, Madanapalli Mandal, Chittoor District.

..... PETITIONER

AND

1 The Commissioner of Madanapalle, Municipality, Madanapalle,

Madanapalle Mandal, Chittoor District.
2 The Revenue Divisional Officer, Madanapalle Revenue Division,

Madanapalle.
3 The Revenue Divisional Officer, Madanapalle Revenue Division,

Madanapalle Mandal, Chittoor District.
4 The Mandal Revenue Officer, Madanapalle Mandal, Madanapalle,

Chittoor District.

.....RESPONDENTS

The Court made the following:

ORDER:

The challenge made in the writ petition is with regard to the proposal of the Commissioner, Madanapalle-first respondent, to dig bore wells in the tank

belonging to the Cheekalabayalu Gram Panchayat.

2. When the writ petition came up for hearing, the learned Standing Counsel appearing for the first respondent submitted that the proposal has been withdrawn. He placed on record the written instructions received by him. The relevant portion in the written instructions received by him reads as follows:

> "In this connection I submit that as per report of the Municipal Engineer source is only seapage water upto a depth of 18' to 20' in loose structure which is not a sustainable yield to go for water supply scheme. It is also got rested the tank bed over as per the magnetic soundings and could not have any source even to a depth of 400' to 450' except the seapage water which will not substitute for Madanapalle drinking water supply. Already the Ryths drilled 18 Nos of deep well bores to a depth of 600' to 650' in and around tank bed, but there is not even ½ inch yield. The Ryths are drawing 1400 GPH of water with rural power supply of 5 hours per day. The Municipality has to draw the water atleast 15 hours per day and if so the water will be exhausted within two weeks time. It is not suggestable for spending an amount of Rs.40.00 lakhs for providing town feeder source, providing pipe line etc for summer season to a length of 8 kms. More over, Venkatammacheruvu is 12 Kms away from town and it is also not possible for transportation of water through tankers and it is heavy expenditure.
>
> In view of above, since it is not viable for drilling of bores and making arrangements for transportation of water after testing of yield in the filter points drilled by the Ryths, the proposal for drilling of bore well at Venkatammacheruvu is dropped at present. It is proposed to drill atleast 10 Nos. of bore wells at Allivanka reserved forest area duly obtaining the permission of the District Forest Officer, Chittoor and District Collector, Chittoor."

3. Since the proposal of digging bore well in Venkatamma Cheruvu has been withdrawn by the Commissioner, Madanapalle-first respondent, the cause of action for the petition does not survive.

4. Accordingly, the writ petition is dismissed as infructuous. No order as to costs.

05th October, 2005

SKM